

MINUTES

## HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

**DATE:** Monday, March 15, 2021

**TIME:** 1:30 P.M.

**PLACE:** Room EW42

**MEMBERS:** Chairman Chaney, Vice Chairman Hartgen, Representatives Kerby, Amador, Ehardt, Scott, Marshall, Troy, Young, Nate, Cannon, Erickson, Skaug (Andrew), Gannon, McCrostie, Ruchti, Nash

**ABSENT/  
EXCUSED:** Representative(s) Ehardt, Troy, Young

**GUESTS:** None

**Chairman Chaney** called the meeting to order at 1:31 p.m.

**S 1133aa:** **Rep. Ryan Kerby**, District 9, presented **S 1133aa**. This legislation ensures temporary guardianships remain temporary without extension or continuation beyond six months. Twelve months is allowed with good cause.

**Sen. Abby Lee**, District 9, further presented **S 1133aa**. She explained the need for this adjustment, citing a four-year temporary guardianship. This legislation addresses use of temporary guardianships to avoid permanent guardianship hearings and their higher review standard.

**MOTION:** **Rep. Erickson** made a motion to send **S 1133aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Kerby** will sponsor the bill on the house floor.

**S 1035:** **Rep. David Cannon**, District 31, presented **S 1035** for the State Appellate Public Defender (SAPD) Act. Idaho Code (IC)19-867 through 19-872 are moved into IC Chapter 59, Title 19. There are no substantive changes to the SAPD structure or statutory authority.

**Eric Fredrickson**, Director, SAPD, was invited to answer a committee question. He said the change simplifies locating the SAPD Act.

**MOTION:** **Rep. McCrostie** made a motion to send **S 1035** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Cannon** will sponsor the bill on the house floor.

**S 1131:** **Rep. David Cannon**, District 31, presented **S 1131**. Through this legislation financial institution garnishment search fees increase from \$5 to \$7 and garnishment execution fees increase from \$10 to \$12. There has been no fee adjustment for fifty years. The garnishment review time is changed to two months in alignment with federal standards.

**MOTION:** **Rep. Gannon** made a motion to send **S 1131** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Cannon** will sponsor the bill on the house floor.

**S 1130:** **Rep. James Ruchti**, District 29, presented **S 1130** to clarify language regarding the misdemeanor charge for commercial burglaries involving the theft of property worth less than \$300. This unifies judicial interpretation and leaves the intent of this charge unchanged.

**MOTION:** **Rep. Cannon** made a motion to send **S 1130** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Ruchti** will sponsor the bill on the house floor.

**S 1078:** **Rep. Fred Wood**, District 27, presented **S 1078** regarding death certificate recording with the County Recorders Offices.

**Sen. Kelly Anthon**, District 27, continued the presentation of **S 1078**. This legislation allows a death certificate to be recorded by the County Recorder's Office for county property records.

**MOTION:** **Rep. Nash** made a motion to send **S 1078** to the floor with a **DO PASS recommendation. Motion carried by voice vote. Rep. Wood** will sponsor the bill on the house floor.

**ADJOURN:** There being no further business to come before the Committee, the meeting adjourned at 1:55 p.m.

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Representative Chaney  
Chair

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Andrea Blades  
Secretary